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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Shelton, R. H.

Serial No.: 09/025,279

Filed: February 18, 1998

For: **STANDING ORDER DATABASE SEARCH
SYSTEM AND METHOD FOR INTERNET
APPLICATION**

Confirmation No.:

Group Art Unit: 2162

Examiner: Jean B. Fleurantin

Docket No. 050128-1010

SUPPLEMENT TO PETITION UNDER 37 C.F.R. § 1.183

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

RECEIVED
AUG 18 2005
OFFICE OF PETITIONS

Sir:

Applicant hereby files this supplement to the petition under 37 C.F.R. § 1.183 filed July 29, 2005. Applicant respectfully requests that the Commissioner consider the following supporting information in conjunction with the above-mentioned petition.

Statement of Facts

1. On July 13, 2005, Ms. Simmons of the U.S. Postal Service ("USPS") Consumer Affairs and Claims Department informed Randy R. Schoen, who is currently employed by the law firm of Thomas, Kayden, Horstemeyer & Risley, L.L.P., that Express Mail collection records for the Dallas, Texas zip code 75240 were not available for 1998 and earlier.
2. As a result of this lack of information, Mr. Schoen requested the current cutoff times for Express Mail in the 75240 area that would allow packages to enter the mail stream by 2:00 a.m. the following day.
3. On August 3, 2005, Ms. Simmons faxed a copy of the collection box schedules for the 75240 area and the Airport Mail Facility (Exhibit Y).

4. As confirmed by the USPS Express Mail collection box schedules (Exhibit Y), the current Express Mail cutoff for collection at 13601 Preston Road and delivery service to another post office by 10:00 a.m. on the following day is 5:00 p.m. (17.00). This cutoff is consistent with the 5:00 p.m. collection time confirmed in the submitted declarations of Mr. John L. Sigalos, Esq. and Mr. Leslie C. Cook, Esq.
5. In addition, the Express Mail schedules (Exhibit Y) confirm that a package must be dropped off at the 13601 Preston Road collection boxes by the 5:00 p.m. (17.00) cutoff time in order for it to be processed at the Airport Mail Facility ("AMF") before 10:00 a.m. the following day.

Statement of the Actions Requested

Applicant petitions the Commissioner to consider the attached Express Mail collection box schedules as evidence from the USPS corroborating that an Express Mail package must be collected by 5:00 p.m. in order to be processed before 10:00 a.m. the following day at the Airport Mail Facility.

Respectfully submitted,



Scott A. Horstemeyer, Reg. No. 34,183
Attorney for Applicant

Date: August 12, 2005
Telephone: (770) 933-9500

Docket: **50128-1010**

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on August 12, 2005.

Julie Campbell
Julie Campbell

In Re Application of:

Shelton, R. H.

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The following is a list of documents enclosed:

Return Postcard
Supplement to Petition Under 37 C.F.R. § 1.183
Supplemental Declaration of Randy R. Schoen
Exhibit Y – Express Mail collection box schedules



PATENTS

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Shelton, R. H.

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SUPPLEMENTAL DECLARATION OF RANDY R. SCHOEN

I, Randy R. Schoen, declare as follows:

1. My name is Randy R. Schoen. I am over 21 years old, and am fully competent to make this declaration. I have personal knowledge of the matters set forth herein and know them to be true and correct.
2. I am currently employed by the law firm of Thomas, Kayden, Horstemeyer & Risley, L.L.P.
3. On July 12, 2005, I contacted U.S. Postal Service ("USPS") in Coppell, Texas in regard to the Express Mail package, article no. EI229088857US, sent by John L. Sigalos in February 1998. At that time, I spoke to Sandra Simmons of the Consumer Affairs and Claims Office.
4. While explaining the situation, I provided Ms. Simmons with the Express Mail tracking number (EI229088857US) and the reference number (Z00026873) of the USPS letter responding to Mr. Sigalos' request for confirmation of deposit of Express Mail package no. EI229088857US on February 17, 1998. At that time, she confirmed that information for the tracking and reference numbers were no longer available from the USPS.
5. As a result of this information, I requested any available information concerning Express Mail collection schedules and/or times for the 75240 postal area during 1998.

6. On July 13, 2005, Ms. Simmons informed me that Express Mail delivery information for 1998 and earlier, including collection records, was no longer available.
7. As a result, I requested the current cutoff times for an Express Mail package to enter the mail stream for processing by 2:00 a.m. the following morning.
8. In response to my request, on August 3, 2005 Ms. Simmons faxed the USPS Express Mail collection box schedules for the 75240 area and the Airport Mail Facility ("AMF"). A true and complete copy of the Express Mail collection box schedules is attached herein as Exhibit Y.
9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED on this the 12th day of August 2005.



Randy R. Schoen

TKHR Docket No. 50128-1010



USPS
Consumer Affairs & Claims
951 W. Bethel Rd.
Coppell, TX 76039-3631
(972) 393-6755
fax: (972) 393-6770

facsimile transmittal

To: Randy Schoew Fax: 404-795-0567
From: SANDRA SIMMONS Date: 8-3-05
Re: Per Your Request Pages: 3

CC:

☐ Urgent

☒ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Notes: Collection Box Schedules

TKHR Docket No. 50128-1010

Orig: 75240 - DALLAS TX For Date: 08-03-2005





Dest: 75222 - DALLAS TX For Time: 10:52

----- SERVICE BY 12 - POST OFFICE TO ADDRESSEE -----				
Info	Cutoff	Facility	Street	City State
	18.00	PO	13770 NOEL RD	DALLAS TX
	17.30	BOX	13770 NOEL RD (SPRING VALLEY STATION)	DALLAS TX
	17.00	BOX	13140 COIT RD (ALPHA OFFICE BLDG)	DALLAS TX
	17.00	BOX	13355 NOEL RD (GALLERIA TOWER I)	DALLAS TX
	17.00	BOX	13455 NOEL RD (GALLERIA TOWER I)	DALLAS TX
	17.00	BOX	13601 PRESTON RD (CARRILLON PLZ EAST TWR)	DALLAS TX
	17.00	BOX	13601 PRESTON RD (CARRILON PLZ WEST TWR)	DALLAS TX
	17.00	BOX	14001 DALLAS PKY (STANFORD CORP BLDG)	DALLAS TX
	17.00	BOX	14643 DALLAS PKY (WELLINGTON CENTER)	DALLAS TX
	17.00	BOX	14651 DALLAS PKY (PRINCETON MAILROOM)	DALLAS TX
	17.00	BOX	14755 PRESTON RD (SIGNATURE PLACE, DOCK)	DALLAS TX
	17.00	BOX	14801 LANDMARK BLVD (PARKING LOT)	DALLAS TX
	17.00	BOX	5050 QUORUM DR (AT DALLAS PKY)	DALLAS TX
	17.00	BOX	5500 LBJ FWY	DALLAS TX
	17.00	BOX	6300 LBJ FWY (AT HUGHES LN)	DALLAS TX
	17.00	BOX	6750 LBJ FWY (AT HILLCREST RD)	DALLAS TX
	17.00	PO	13155 NOEL RD	DALLAS TX
	16.30	BOX	14114 DALLAS PKY (PARKWAY PLAZA I)	DALLAS TX
	16.30	BOX	14160 DALLAS PKY (PACIFIC CENTER II)	DALLAS TX
	16.30	BOX	14881 QUORUM DR (BEL VEDERE BLDG)	DALLAS TX
	16.30	BOX	14902 PRESTON RD	DALLAS TX
	16.30	BOX	14951 DALLAS PKY (1ST TEXAS SAVINGS)	DALLAS TX
	16.30	BOX	5151 BELTLINE RD (PRESTON TOWER, GARAGE)	DALLAS TX
	16.30	BOX	5400 LBJ FWY (LINCOLN CENTRE I)	DALLAS TX
	16.30	BOX	5429 LBJ FWY (PROVIDENT BANK BLDG)	DALLAS TX
	16.30	BOX	5430 LBJ FWY (LINCOLN CENTRE II)	DALLAS TX
	16.30	BOX	5485 BELTLINE RD (PRESTONWOOD CREEK)	DALLAS TX
	16.30	BOX	5501 LBJ FWY (REGENCY CENTRE II)	DALLAS TX
	16.30	BOX	5728 LBJ FWY (STEWART TITLE BLDG)	DALLAS TX
	16.00	BOX	5420 LBJ FWY (LINCOLN CENTRE II)	DALLAS TX
	16.00	BOX	5550 LBJ FWY (MURRAY III)	DALLAS TX
	11.00	PO	13770 NOEL RD	DALLAS TX
	20.45	AMF	2300 W 32ND ST	DALLAS TX
----- SERVICE BY 10 - POST OFFICE TO POST OFFICE -----				
Info	Cutoff	Facility	Street	City State

EXHIBIT Y

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	18.00	PO	13770 NOEL RD	DALLAS TX
	17.30	BOX	13770 NOEL RD (SPRING VALLEY STATION)	DALLAS TX
	17.00	BOX	13140 COIT RD (ALPHA OFFICE BLDG)	DALLAS TX
	17.00	BOX	13355 NOEL RD (GALLERIA TOWER D)	DALLAS TX
	17.00	BOX	13455 NOEL RD (GALLERIA TOWER D)	DALLAS TX
	17.00	BOX	13601 PRESTON RD (CARRILLON PLZ EAST TWR)	DALLAS TX
	17.00	BOX	13601 PRESTON RD (CARRILON PLZ WEST TWR)	DALLAS TX
	17.00	BOX	14001 DALLAS PKY (STANFORD CORP BLDG)	DALLAS TX
	17.00	BOX	14643 DALLAS PKY (WELLINGTON CENTER)	DALLAS TX
	17.00	BOX	14651 DALLAS PKY (PRINCETON MAILROOM)	DALLAS TX
	17.00	BOX	14755 PRESTON RD (SIGNATURE PLACE, DOCK)	DALLAS TX
	17.00	BOX	14801 LANDMARK BLVD (PARKING LOT)	DALLAS TX
	17.00	BOX	5050 QUORUM DR (AT DALLAS PKY)	DALLAS TX
	17.00	BOX	5500 LBJ FWY	DALLAS TX
	17.00	BOX	6300 LBJ FWY (AT HUGHES LN)	DALLAS TX
	17.00	BOX	6750 LBJ FWY (AT HILLCREST RD)	DALLAS TX
	17.00	PO	13155 NOEL RD	DALLAS TX
	16.30	BOX	14114 DALLAS PKY (PARKWAY PLAZA D)	DALLAS TX
	16.30	BOX	14160 DALLAS PKY (PACIFIC CENTER D)	DALLAS TX
	16.30	BOX	14881 QUORUM DR (BEL VEDERE BLDG)	DALLAS TX
	16.30	BOX	14902 PRESTON RD	DALLAS TX
	16.30	BOX	14951 DALLAS PKY (1ST TEXAS SAVINGS)	DALLAS TX
	16.30	BOX	5151 BELTLINE RD (PRESTON TOWER, GARAGE)	DALLAS TX
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	16.30	BOX	5429 LBJ FWY (PROVIDENT BANK BLDG)	DALLAS TX
	16.30	BOX	5430 LBJ FWY (LINCOLN CENTRE D)	DALLAS TX
	16.30	BOX	5485 BELTLINE RD (PRESTONWOOD CREEK)	DALLAS TX
	16.30	BOX	5501 LBJ FWY (REGENCY CENTRE D)	DALLAS TX
	16.30	BOX	5728 LBJ FWY (STEWART TITLE BLDG)	DALLAS TX
	16.00	BOX	5420 LBJ FWY (LINCOLN CENTRE D)	DALLAS TX
	16.00	BOX	5550 LBJ FWY (MURRAY D)	DALLAS TX
	11.00	PO	13770 NOEL RD	DALLAS TX
	20.45	AMF	2300 W 32ND ST	DALLAS TX

Enter Express Mail Network Directory Inquiry Data

Origin Zip:

Destination:

For Date: August 03 2005

For Time:

EXHIBIT Y

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08-03-2005 12:34pm

From-USPS MARKETING

9723936770

T-016 P.004/004 F-434



Airport

TKHR Docket No. 50128-1010

Orig: 75261 - DALLAS TX For Date: 08-03-2005
Dest: 75222 - DALLAS TX For Time: 10:54

----- SERVICE BY 12 - POST OFFICE TO ADDRESSEE -----						
Info	Cutoff	Facility	Street	City	State	
	20.45	AMF	2300 W 32ND ST	DALLAS	TX	

Enter Express Mail Network Directory Inquiry Data

Origin Zip:
Destination:
For Date: August 03 2005
For Time:

EXHIBIT Y

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